

From:	Bob Heilman	4/15/2009 12:39 PM
To:	Herrick, Samuel	
Cc:	Heather Cobb	
Bcc:		
Subject:	comments to contract document	
Attachments:		

Samuel

I hope all is well with you. Heather and I are both in road warrior mode but I wanted get get you some feedback on the documents. Overall, I think we are pretty close.

On the billing schedule, Heather will update the dates with your approval. Hopefully, this will occur by the end of the week. I'd like to change the language to allow us to bill up to the milestone value - incrementally when significant discrete elements are identified and agreed upon. MCF will have frequent status reporting and in-process reviews to validate our progress toward the major milestone and would authorize the billing as mutually agreed. I envision this to be much like what you and I discussed for the data services in progress now. I think it will be problematic to try to identify and track a slew of mini-milestones at the juncture.

On the SLA, our expectation is that billing will start at the time of deployment of the solution to its production environment. The statement of work indicates initial rollout to MCFA followed by incremental deployments elsewhere.

The consulting agreement seem to favor MCF. I am concerned specifically about the current data services activities. As discussed with Jay, we are acting as your agents, at your direction. we should have no liability for any litigations or problem penalties resulting there from..

Also we can really only warrant that we have accurately depicted the data. Since we did not author it we cannot attest to its accuracy or accept responsibility for any adverse actions resulting from the data.

Thank You

Bob

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